

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DUNKIN' DONUTS FRANCHISING, LLC	:	
et al.,	:	CIVIL ACTION
Plaintiffs,	:	
	:	No. 12-2010
v.	:	
	:	
CLAUDIA I, LLC et al.,	:	
Defendants,	:	
	:	
and	:	
	:	
CLAUDIA I, LLC et al.,	:	
Third Party Plaintiffs,	:	
v.	:	
	:	
SPRING HILL REALTY, INC.,	:	
Third Party Defendant.	:	

ORDER

This 12th day of December, 2014 it is **ORDERED** as follows:

1. For the reasons explained in the Court's Memorandum of October 20, 2014:
 - a. As to Plaintiffs' Count I, alleging breach of franchise agreement and sublease, judgment is entered in favor of Plaintiffs and against Defendants.
 - b. As to Plaintiffs' Counts II and III, alleging trademark infringement and unfair competition, judgment is entered in favor of Plaintiffs and against Defendants.
 - c. As to Plaintiffs' Count IV, seeking enforcement of the restrictive covenant, judgment is entered in favor of Plaintiffs and against Defendants.
 - d. The injunction issued by Judge Stengel on May 17, 2013 is permanent.

- e. As to Defendants' Count III, breach of contract against Spring Hill and Dunkin', judgment is entered in favor of Plaintiffs and Spring Hill and against Defendants.
 - f. As to Defendants' Count V, breach of franchise agreement against Plaintiffs, judgment is entered in favor of Plaintiffs and against Defendants.
 - g. As to Defendants' Count VII, tortious interference with the Franchise Agreement against Spring Hill, judgment is entered in favor of Spring Hill and against Defendants.
 - h. As stated in the Memorandum, the total judgment, not including reasonable attorneys' fees, awarded against Defendants to Dunkin' was \$212,724.57.
2. For the reasons explained in the Court's Memorandum accompanying this Order relating to reasonable attorneys' fees:
- a. Plaintiffs are awarded attorneys' fees and costs against Defendants in the amount of \$203,803.34.
 - b. Spring Hill's request for an award of attorneys' fees against Plaintiffs or Defendants is **DENIED**.
3. Judgment is entered in favor of Plaintiffs and against Defendants Claudia I, LLC, Manfred P. Marotta, and Lynne K. Marotta in the amount of \$212,724.57 (judgment on the merits) plus \$203,803.34 (attorneys' fees and costs), for a total of \$416,527.91.
4. The Clerk of Court shall close this case for statistical purposes.

/s/ Gerald Austin McHugh
United States District Court Judge